IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 17169 of 2004

Between:

1 Koddapuram Bhasker, S/o. Hanumanthu,
R/o. Kaddam Village and Mandal, Adilabad District.
2 Pannela Ganganna, S/o. Yerranna,
R/o. Singapur Village, Kaddam Mandal, Adilabad District.
3 Bure Chakrapani, S/o. Bhoomaiah,
R/o. Dattojipet (Allampalli) Village, Kaddam Mandal,
Adilabad District.
4 Koddipalli Laxmi, W/o. Rajanna,
R/o. Pedda Bellala Village, Kaddam Mandal, Adilabad
District.
5 Kondera Narsaiah, S/o. Ramaiah,
R/o.Kannapur Village, Kaddam Mandal, Adilabad District.

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PETITIONERS

AND

1 The District Collector-cum-Election Authority, Adilabad,
Adilabad District.
2 The Asst. Director of Agriculture (Election Officer), Khanapur,
Adilabad District.
3 The Mandal Parishad Development Officer, Kaddam,
Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondent NO. 2 and 3 in not issuing Form-VA Notice to the petitioners pursuant to the impugned Proceedings No. P5/2726/2004 dt. 15-9-2004 of the 1st respondent and making attempts to proceed with the elections to be held on 24-9-2004 as illegal, arbitrary, unconstitutional and consequently set aside the

Proceedings No. P5/2726/2004 dt. 15-9-2004 of the 1st respondent.

Counsel for the Petitioner: MR.V.R.MACHAVARAM

Counsel for the Respondents 1 and 2: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent No.3 : Smt.Jyothi Eswar

The Court, at the stage of admission, made the following :

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ORDER:

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Once the election notification is issued specifying the date of election, any irregularity or illegality in conducting the election including that of non-issuance of the notice in Form-VA, specified as per the rules issued in G.O.Ms.No.756, PR & RD Relief Department, dated 30.11.1994, can be challenged by way of an election petition only after the elections are held.

In view of the same, I see no grounds to entertain the writ petition. The writ petition is accordingly dismissed. No costs.

A. GOPAL REDDY, J

September 23rd, 2004

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To

1 The District Collector-cum-Election Authority, Adilabad, Adilabad District.
2 The Asst. Director of Agriculture (Election Officer), Khanapur, Adilabad District.
3 The Mandal Parishad Development Officer, Kaddam, Adilabad District.
4 2CCs to G.P For Panchayat Raj & Rural Development, High Court Buildings, Hyderabad (O.U.T).

5 2CD copies

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 17169 of 2004

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23rd SEPTEMBER, 2004